

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 824 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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NARENDRA H BHATT

Versus

ASSISTANT LIBRARIES ADMINISTRATION OFFICER

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Appearance:

MR VS MEHTA for Petitioner

MR LR PUJARI for Respondents

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 19/03/98

ORAL JUDGMENT

The petitioner, who was engaged purely on ad hoc and temporary basis for a fixed term from time to time, by respondents filed this Special Civil Application before this Court and prayer has been made for direction to the respondents to treat the petitioner appointed as a peon on permanent basis with effect from the date of his first appointment for 29 days and to grant him all

consequential reliefs including pay and allowances and to pay him arrears of dues arising out of such reliefs within two months.

2. The first appointment of the petitioner came to be made on 6.1.86 for 29 days. Then comes the next appointment under the order dated 6.2.86 for a period of 29 days. Then on 21.3.86, the petitioner was once again appointed for a period of 29 days. The last appointment was given to the petitioner on 21.2.87 for 29 days. All these appointments were temporary appointments made without making any selection. The fixed term appointment comes to an end automatically on the expiry of the term thereof by efflux of time and for which even no order of termination is required to be passed. The claim of the petitioner for continuation in employment and to make him permanent in services cannot be accepted. The appointment on ad hoc and temporary basis for a fixed term does not give any right to hold the post to the petitioner, much less a right of regularization as well as permanency in employment. This matter is squarely covered by Division Bench decision of this Court in the case of Bhanmati Tapubhai Muliya v. State of Gujarat, reported in 1995 (2) GLH 228.

3. In the result, this Special Civil Application fails and the same is dismissed. Rule discharged. Interim relief, if any, granted by this Court stands vacated. No order as to costs.

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(sunil)